

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The non-final Office Action dated June 16, 2009 has been received and its contents carefully reviewed.

Claims 1, 5, 9, 10, 24, 29 and 30 are hereby amended. No new matter was added. No claims have been canceled. No claims are added. Accordingly, claims 1-31 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

Claims 1, 9-10, 24 and 29-30 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly claim the subject matter which the Applicants regard as the invention. *Office Action* at p. 2, ¶ 2. Applicants do not necessarily agree with the Office, however, in an effort to advance the application to allowance, Applicants have amended claims 1, 9, 10, 24, 29 and 30 and request that the Office withdraw the 35 U.S.C. § 112, second paragraph rejection of claims 1, 9-10, 24 and 29-30.

Claims 1-4, 6-9, 21-27 and 30-31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 2002-248297 to Nakada (hereinafter “*Nakada*”). *Office Action* at p. 4, ¶ 12. Applicants respectfully traverse the rejection and request reconsideration.

Independent claim 1 is allowable over *Nakada* in that claim 1 recites a combination of elements including, for example, “a filter case mounted at a front portion of the outer case to be exposed to an outside of the washing machine such that a user directly accesses the filter case; a drain pipe connected between the drain hole in the tub and the filter case configured to drain water from an inside of the tub toward the filter case; a drain valve mounted to the drain pipe, wherein the drain valve controls a drainage of water from the tub and a supply of the water drained from the tub to the filter case through the drain pipe; and a drain filter disposed between a drain inlet and a drain outlet in the filter case, wherein the filter case accommodates the drain filter therein.” *Nakada* does not teach or suggest, at least, these features of independent claim 1.

The Office alleges that *Nakada*'s holder 22 reads on the "filter case" as recited in the claims. See *Office Action* at p. 4, ¶ 13. *Nakada* discloses, however, "a filter device ... [that] comprises the filter 21, its electrode holder 22, and the pin 23 that attaches the filter 21 to the electrode holder 22." *Translated Nakada* at ¶ [0047] and Fig. 4. As shown, filter 21 is simply hung from an end of the holder 22 and is not housed in the holder 22. In other words, the filter 21 accommodates a portion (i.e., the end) of holder 22. Accordingly, *Nakada*'s holder 22 fails to teach or suggest "a filter case" that "accommodates the drain filter therein," as recited in independent claim 1.

Nakada also discloses that "[i]n the mounting state, the filter 21 is inserted into the by-pass 8, ... and the electrode holder 22 is held in the annular drainage pipe." *Translated Nakada* at ¶ [0048] and Fig 1. As shown in Fig. 1, *Nakada*'s filter 21 and the structure receiving the filter 21 are disposed within the armor case 4. In contrast, Applicants claim "a filter case mounted at a front portion of the outer case to be exposed to an outside of the washing machine such that an user directly accesses the filter case." Further, the Office admits that "the filter case as taught by *Nakada* is mounted on an inner side inside of a door." *Office Action* at p. 6, ¶ 21. The Office's objective statement demonstrates that the Office recognizes that the filter case of *Nakada* is not mounted to be exposed to the outside. Thus, *Nakada*'s electrode holder 22 is not "mounted at a front portion of the outer case to be exposed to an outside of the washing machine," as recited in claim 1. Therefore, *Nakada* fails to teach or suggest "a filter case mounted at a front portion of the outer case to be exposed to an outside of the washing machine such that an user directly accesses the filter case."

The Office also alleges that *Nakada* discloses "a drain valve mounted to control drainage of water (cross valve function 19, Fig. 1 and [0052])." *Office Action* at p. 4, ¶ 13. *Nakada* discloses, however, "[that] 19 is the cross valve provided in the three-way branch pipe 18 ... and the cross valve 19 is switched to it, the 1st branch pipe 18a and the 3rd branch pipe 18c form the drainage ditch which discharges the washing water of the wash dehydration [track] 1 to the exterior." *Translated Nakada* at ¶ [0039]. In other words, *Nakada*'s valve 19 forms a drain path for draining water from the tub to the outside after washing and rinsing cycles. Therefore, *Nakada* merely discloses the valve 19 being mounted to the path connecting the tub 1 and the outside and draining the water from the tub 1 to the outside. For these reasons, *Nakada*'s valve 19 fails to teach or suggest "a drain valve

mounted to the drain pipe” where the “drain pipe connected between the drain hole in the tub and the filter case configured to drain water from an inside of the tub toward the filter case” and also fails to teach or suggest “the drain valve controls a drainage of water from the tub and a supply of the water drained from the tub to the filter case through the drain pipe,” as recited in independent claim 1.

Moreover, *Nakada* discloses that “the washing water which overflowed from the tub 1 to the annular drainage pipe with the centrifugal force by right-and-left round trip rotation of the wash dehydration [track] flows back from the cylinder axis of rotation 2 to the wash dehydration [track].” *Translated Nakada* at ¶ [0041]. In other words, the water in the tub 1 overflows into the annular drain pipe 7 by a centrifugal force generated by a rotation of the tub 1. Then, the water flows into a bypass 8 and returns to the tub 1. This circulation is repeated, and the water is filtered by the filter provided to the bypass 8 during the circulation. For the circulation and filtering as intended in *Nakada*, the water overflowing from the tub 1 must be directly supplied to the drain pipe 7 and the bypass 8. Therefore, *Nakada* requires that the overflowing water is always allowed to enter into the drain pipe 7 and the bypass 8 without any control thereto. For these reasons, *Nakada* teaches away from “a drain valve mounted to the drain pipe, wherein the drain valve controls a drainage of water from the tub and a supply of the water drained from the tub to the filter case,” as recited in independent claim 1. In view of the reasons set forth above, a person or ordinary skill in the art would not be motivated to modify *Nakada* to reach the drain valve as recited in claim 1.

For at least these reasons, Applicants respectfully request that the Office withdraw the 35 U.S.C. § 103(a) rejection of independent claim 1. Claims 2-4, 6-9, 21-27 and 30-31 depend from independent claim 1. It stands to reason that the 35 U.S.C. § 103(a) rejection of those dependent claims should be withdrawn as well.

Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Nakada* in view of U.S. Patent No. 5,653,870 to Tsuchiya et al. (hereinafter “*Tsuchiya*”). *Office Action* at p. 7, ¶ 29. Applicants respectfully traverse the rejection and request reconsideration.

Tsuchiya fails to cure the deficiencies of *Nakada* and with respect to independent claim 1. Indeed, the Office only relied upon *Tsuchiya* to purportedly disclose “a filter case which is rotatably mounted.” *Office Action* at p. 8. Because none of the cited references, either individually or in combination, teaches or suggests each and every element of independent claim 1, they also fail to teach or suggest each and every element of claim 5, which depends from claim 1. Accordingly, Applicants respectfully request the Office to withdraw the 35 U.S.C. § 103(a) rejection of claim 5.

Claims 10-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Nakada* in view of U.S. Patent No. 5,645,732 to Daniels (hereinafter “*Daniels*”). *Office Action* at p. 8, ¶ 34. Applicants respectfully traverse the rejection and request reconsideration.

Daniels fails to cure the deficiencies of *Nakada* and with respect to independent claim 1. Indeed, the Office only relied upon *Daniels* to purportedly disclose “a mesh filter which includes a hinged bail for taking out the filter.” *Office Action* at p. 8. Because none of the cited references, either individually or in combination, teaches or suggests each and every element of independent claim 1, they also fail to teach or suggest each and every element of claims 10-12, which depend from claim 1. Accordingly, Applicants respectfully request the Office to withdraw the 35 U.S.C. § 103(a) rejection of claims 10-12.

Claims 13-18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Nakada* in view of U.S. Patent No. 5,702,592 to Suri et al. (hereinafter “*Suri*”). *Office Action* at p. 9, ¶ 39. Applicants respectfully traverse the rejection and request reconsideration.

Suri fails to cure the deficiencies of *Nakada* and with respect to independent claim 1. Indeed, the Office only relied upon *Suri* to purportedly disclose “the use of a filter monitoring device if a filter element is missing in the housing.” *Office Action* at p. 9. Because none of the cited references, either individually or in combination, teaches or suggests each and every element of independent claim 1, they also fail to teach or suggest each and every element of claims 13-18, which depend from claim 1. Accordingly, Applicants respectfully request the Office to withdraw the 35 U.S.C. § 103(a) rejection of claims 13-18.

Claims 19-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Nakada* in view of *Suri*, in further view of KR 10-2001-0073574A to Choi (hereinafter “*Choi*”). *Office Action* at p. 9, ¶ 43. Applicants respectfully traverse the rejection and request reconsideration.

Choi fails to cure the deficiencies of *Nakada* and *Suri* with respect to independent claim 1. Indeed, the Office only relied upon *Choi* to purportedly disclose “a door lock switch assembly comprising a switch case, a solenoid and a plunger.” *Office Action* at p. 10. Because none of the cited references, either individually or in combination, teaches or suggests each and every element of independent claim 1, they also fail to teach or suggest each and every element of claims 19-20, which depend from claim 1. Accordingly, Applicants respectfully request the Office to withdraw the 35 U.S.C. § 103(a) rejection of claims 19-20.

Claims 28-29 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Nakada* in view of U.S. Patent No. 5,042,276 to Kamano et al. (hereinafter “*Kamano*”). *Office Action* at p. 10, ¶ 48. Applicants respectfully traverse the rejection and request reconsideration.

Kamano fails to cure the deficiencies of *Nakada* with respect to independent claim 1. Indeed, the Office only relied upon *Kamano* to purportedly disclose “a first overflow hose ... connected between a tub side overflow hole ... at a position above the drain hole of the tub and the filter case.” *Office Action* at p. 11. Because none of the cited references, either individually or in combination, teaches or suggests each and every element of independent claim 1, they also fail to teach or suggest each and every element of claims 28-29, which depend from claim 1. Accordingly, Applicants respectfully request the Office to withdraw the 35 U.S.C. § 103(a) rejection of claims 28-29.

CONCLUSION

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to Deposit Account No. 50-0911.

Dated: October 16, 2009

Respectfully submitted,

By: /Michael I. Angert/
Michael I. Angert
Registration No.: 46,522
McKenna Long & Aldridge LLP
1900 K Street, N.W.
Washington, D.C. 20006
Voice: 202-496-7500
Attorneys for Applicant